

## ADVERSARY PROCEEDING COVER SHEET

## ADVERSARY PROCEEDING NUMBER

**PLAINTIFFS**

JOSEPH V. WOMACK

**DEFENDANT(S)**JOHN HENRY SCHNEIDER  
3611 TOMMY ARMOUR CIRCLE  
BILLINGS, MT 59106**ATTORNEYS** (Firm Name, Address & Telephone No.)JOSEPH V. WOMACK  
WALLER & WOMACK  
303 N. BROADWAY, SUITE 805  
BILLINGS, MT 59101**ATTORNEYS** (If known)HAROLD VAN DYE  
DYE AND MOE PLLP  
129 HICKORY STREET, STE B  
MISSOULA, MT 59801-1820**PARTY**
☐ Debtor      ☐ U.S. Trustee/Bankruptcy Admin  
☐ Creditor      ☐ Other  
☒ Trustee
**PARTY**
☒ Debtor      ☐ U.S. Trustee/Bankruptcy Admin  
☐ Creditor      ☐ Other  
☐ Trustee
**CAUSE OF ACTION** Denial of discharge pursuant to 11 U.S.C. §§ 727(a)(2), 727(a)(3), 727(a)(4)(A) and (D), 727(a)(5), and 727(a)(6)(A)**NATURE OF SUIT**

(Number up to five boxes starting with lead cause of action as 1, first alternative cause as 2, second alternative cause as 3, etc.)

- ☐ 11-Recovery of money/property - §542 turnover of property  
☐ 12-Recovery of money/property - §547 preference  
☐ 13-Recovery of money/property - §548 fraudulent transfer  
☐ 14-Recovery of money/property - other

**FRBP 7001(2) – Validity, Priority or Extent of Lien**

- ☐ 21-Validity, priority or extent of lien or other interest in property

**FRBP 7001(3) – Approval of Sale of Property**

- ☐ 31-Approval of sale of property of estate and of a co-owner - §363(h)

**FRBP 7001(4) – Objection/Revocation of Discharge**

- 1** 41-Objection/Revocation of Discharge - §727(c),(d),(e)

**FRBP 7001(5) – Revocation of Confirmation**

- ☐ 51-Revocation of Confirmation

**FRBP 7001(6) – Dischargeability**

- ☐ 66-Dischargeability - §523(a)(1),(14),(14A) priority tax claims  
☐ 62-Dischargeability - §523(a)(2), false pretenses, false representation, actual fraud  
☐ 67-Dischargeability - §523(a)(4), fraud as fiduciary, embezzlement, larceny

(continued next column)

- ☐ 61- Dischargeability - §523(a)(5), domestic support  
☐ 68- Dischargeability - §523(a)(6), willful and malicious injury  
☐ 63- Dischargeability - §523(a)(8), student loan  
☐ 64- Dischargeability - §523(a)(15), divorce/sep property settlement/decreed  
☐ 65- Dischargeability - other

**FRBP 7001(7) – Injunctive Relief**

- ☐ 71- Injunctive Relief – reinstatement of stay  
☐ 72 Injunctive relief - other

**FRBP 7001(8) – Subordination of Claim or Interest**

- ☐ 81-Subordination of claim or interest

**FRBP 7001(9) – Declaratory Judgment**

- ☐ 91-Declaratory judgment

**FRBP 7001(10) – Determination of Removed Action**

- ☐ 01-Determination of removed claim or cause

**Other**

- ☐ SS-SIPA Case – 15 U.S.C. §§78aaa *et seq.*  
☐ 02-Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy case)

☐ Check if this case involves a substantive issue of state law☐ Check if this is asserted to be a class action under FRCP 23☐ Check if jury trial is demanded in complaint☐ Demand \$☐ Other Relief Sought:**BANKRUPTCY CASE IN WHICH THIS ADVERSARY PROCEEDING ARISES**NAME OF DEBTOR SCHNEIDER, JOHN HENRYBANKRUPTCY CASE # 14-61357-7DISTRICT IN WHICH CASE IS PENDING  
MontanaDIVISIONAL OFFICE  
BillingsNAME OF JUDGE  
Ralph B. Kirscher**RELATED ADVERSARY PROCEEDINGS (IF ANY)**PLAINTIFFDEFENDANTADVERSARY PROCEEDING #DISTRICT IN WHICH CASE IS PENDINGDIVISIONAL OFFICENAME OF JUDGE**DATE**

June 24, 2015

**PRINT NAME OF ATTORNEY**

Joseph V. Womack

**SIGNATURE OF ATTORNEY**

By: /s/ Joseph V. Womack

Joseph V. Womack  
Attorney for Plaintiff